

## 21 C.J.S. Courts § 21

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### Courts

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## II. Jurisdiction of Courts

### C. Jurisdiction of Subject Matter or Cause of Action

#### 1. General Considerations

### § 21. Place of accrual of action within subject matter jurisdiction

[Topic Summary](#) | [References](#) | [Correlation Table](#)

#### West's Key Number Digest

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**Other elements being present, the location of a transaction or a controversy usually does not determine subject matter jurisdiction, but the place where the cause of action accrues may be determinative as to out-of-state matters.**

Other elements being present, the location of a transaction or a controversy usually does not determine subject matter jurisdiction,<sup>1</sup> but the place where the cause of action accrues may determine whether the case is within the court's subject matter jurisdiction as to out-of-state matters.<sup>2</sup> Sufficient minimum contacts with the state are required such that making a party litigate in-state does not offend traditional notions of fair play and substantial justice.<sup>3</sup> Statutory limitations on state court subject matter jurisdiction in relation to foreign parties may encompass matters as to which the cause of action arose or that the subject matter of the action is situated in the state,<sup>4</sup> and

a state may assert jurisdiction over activity that is conducted outside the state but has its effects within the jurisdiction.<sup>5</sup>

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## Footnotes

- 1 Mo.—*Clark v. Francis*, 422 S.W.3d 369 (Mo. Ct. App. W.D. 2013), transfer denied, (Feb. 4, 2014).  
  
Wash.—*Dougherty v. Department of Labor & Industries for State of Washington*, 150 Wash. 2d 310, 76 P.3d 1183 (2003).
- 2 U.S.—*Fung Lin Wah Enterprises Ltd. v. East Bay Import Co.*, 465 F. Supp. 2d 536 (D.S.C. 2006).  
  
Fla.—*Korman v. Kent*, 821 So. 2d 408 (Fla. 4th DCA 2002).  
  
Miss.—*Courtney v. McCluggage*, 991 So. 2d 642 (Miss. Ct. App. 2008).  
  
S.C.—*Henderson v. Allied Signal, Inc.*, 373 S.C. 179, 644 S.E.2d 724 (2007).  
  
As to subject matter jurisdiction in local or transitory actions, generally, see § 20.
- 3 Miss.—*Courtney v. McCluggage*, 991 So. 2d 642 (Miss. Ct. App. 2008).  
  
Ohio—*Wilkerson v. Howell Contrs., Inc.*, 163 Ohio App. 3d 38, 2005-Ohio-4418, 836 N.E.2d 29 (1st Dist. Hamilton County 2005).
- 4 U.S.—*Fung Lin Wah Enterprises Ltd. v. East Bay Import Co.*, 465 F. Supp. 2d 536 (D.S.C. 2006).
- 5 Ind.—*City of Gary ex rel. King v. Smith & Wesson Corp.*, 801 N.E.2d 1222 (Ind. 2003).  
  
**Out-of-state securities sales**  
Fla.—*Allen v. Oakbrook Securities Corp.*, 763 So. 2d 1099 (Fla. 4th DCA 1999).  
  
**Forum state regulations apply**  
Neb.—*Norwest Corp. v. State, Dept. of Ins.*, 253 Neb. 574, 571 N.W.2d 628 (1997).